



recommendation were timely filed on March 24, 2011.

A de novo review of the record indicates that the magistrate judge's report accurately summarizes this case and the applicable law. Accordingly, the magistrate judge's Report and Recommendation is **AFFIRMED**, and the case is **DISMISSED** without prejudice and without issuance and service of process.

**IT IS FURTHER ORDERED** that plaintiff's motions for summary judgment and to amend complaint are **DENIED**.

**AND IT IS SO ORDERED.**



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David C. Norton  
Chief United States District Judge

Charleston, South Carolina  
July 11, 2011

**NOTICE OF RIGHT TO APPEAL**

The parties are hereby notified that any right to appeal this Order is governed by Rules 3 and 4 of the Federal Rules of Appellate Procedure

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of what is required." Id. at 846. Plaintiff was advised in a clear manner that his objections had to be filed within ten (10) days, and he received notice of the consequences at the appellate level of his failure to object to the magistrate judge's report.